

Mayor Carolyn G. Goodman (At-Large)
Mayor Pro-Tem Michele Fiore (Ward 6)
Councilman Brian Knudsen (Ward 1)
Councilwoman Victoria Seaman (Ward 2)
Councilwoman Olivia Diaz (Ward 3)
Councilman Stavros S. Anthony (Ward 4)
Councilman Cedric Crear (Ward 5)



Commissioner Sam Cherry, Chair
Commissioner Louis De Salvio, Vice Chair
Commissioner Trinity Haven Schlottman
Commissioner Donna Toussaint
Commissioner Anthony Williams
Commissioner Jeff Rogan
Commissioner Sigal Chattah

Planning Commission Minutes

Council Chambers - 495 South Main Street - Phone 229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

October 8, 2019
6:00 PM

BUSINESS ITEMS:

1. Call to Order

Minutes:

VICE CHAIR DE SALVIO called the meeting to order at 6:00 p.m.

2. Announcement: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations: City Hall, 495 South Main Street, 1st Floor; Clark County Government Center, 500 South Grand Central Parkway; Grant Sawyer Building, 555 East Washington Avenue; City of Las Vegas Development Services Center, 333 North Rancho Drive.

3. Roll Call

Minutes:

PRESENT: VICE CHAIR DE SALVIO and COMMISSIONERS SCHLOTTMAN, TOUSSAINT, WILLIAMS, and ROGAN

EXCUSED: CHAIR CHERRY and COMMISSIONER CHATTAH

ALSO PRESENT: ROBERT SUMMERFIELD, Planning Director, ERIC McCAMMOND, Sr. Management Analyst, JONATHAN BOYLES, Sr. Planner, ROGER BAILEY, Sr. Engineering Associate, BRIAN HALVORSON, Assistant Fire Protection Engineer, ASHLEY FOSTER and GABRIELA PORTILLO-BRENNER, Deputy City Clerks

4. Public Comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

ROLANDO LARRAZ, Publisher and Owner of Las Vegas Tribune, wished to speak in opposition to Item 32.

VICE CHAIR DE SALVIO informed MR. LARRAZ that the item would be heard later in the meeting and asked him to wait.

5. For Possible Action to Approve the Final Minutes for the Planning Commission Meeting of September 10, 2019.

NOTE: COMMISSIONER ROGAN abstained from voting on the Final Minutes as he was not present at that meeting.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 2

For-Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Abstain-Jeff Rogan; Excused-Sam Cherry, Sigal Chattah;

6. For Possible Action - Any Items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Minutes:

ERIC McCAMMOND, Sr. Management Analyst, requested Item 14 be pulled for discussion

COMMISSIONER ROGAN asked to pull forward Items 7-9 from the One Motion One Vote portion of the agenda.

ROBERT SUMMERFIELD, Planning Director, believed the applicant wished to hold in abeyance Items 26-29 and asked them to officially make that request on the record. MARK BANGAN, KB Home, agreed this was correct and confirmed the request was for 30 days.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 26-29 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

ONE MOTION - ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered routine non-public and public hearing items. All public hearings and non-public hearings will be opened at one time. Any person representing an application or a member of the public or a member of the Planning Commission not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

7. GPA-77257 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: INTERNATIONAL ASSET MANAGERS, INC. - OWNER: CORY, LLC - For possible action on a request for a General Plan Amendment FROM: L (LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 2.00 acres at the southwest corner of Upland Boulevard and Cory Place (APNs 138-36-406-002 and 003), Ward 1 (Knudsen) [PRJ-77098]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 7-9.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed General Plan Amendment and Rezoning would match adjacent properties to the west and staff supported the requests. Additionally, the proposed multi-family residential expansion development adheres to the majority of Title 19 requirements, and

staff recommended approval of the Site Development Plan Review. He noted additional letters of protest and support were been received since publication.

ATTORNEY BOB GRONAUER used an aerial view of the subject property pointing out its location. The property is an infill piece of property, and MR. GRONAUER shared how the property owner of the adjacent property wished to purchase the subject property to incorporate it into an existing multi-family development. There will be two separate buildings with a total of 34 units, and access will be limited to Charleston Boulevard. He believed the project to be harmonious and compatible with the area, asked for the Commission's approval and was happy to address any concerns.

AL BINGHAM, a representative of Upland Bible Church, stated his objection to the application and wished to go on record with concerns of the density of the area, which were that as density increases, there will be more crime and drugs in the area.

EVA PALMER, a nearby resident, concurred with MR. BINGHAM'S comments and commented that a neighborhood park already has some issues with people who are homeless.

BRETT HANSEN was agreeable to the application but had some aesthetic requests such as the wall being higher than eight-foot high, larger plants, and less-textured block.

MR. GRONAUER responded that usually with churches, churches may support an application in order to encourage more congregation members. He acknowledged the homelessness activity in the area and believed having development in the area would boost property value. He was open to increasing the wall height but was more supportive of increasing the landscaping. He believed development would be good for the area.

ROBERT SUMMERFIELD, Planning Director, said while the landscaping could be considered, the applicant was already doing the maximum wall height and any additional request for wall height would necessitate a Variance and additional applications to deviate from current code requirements.

COMMISSIONER ROGAN thanked the residents for speaking out but believed this development is consistent and harmonious with the neighborhood to the west although it may differ a bit from the single-family residences to the east. He agreed with the neighbors that there should a greater density of landscaping and asked if MR. GRONAUER was agreeable to adding larger boxed trees. MR. GRONAUER preferred rearranging the current 24 inch boxed trees to double row the trees; in doing this, a better buffering would be provided. He further addressed concerns regarding graffiti by explaining that there is an anti-graffiti substance that can be applied to decorative block walls.

MR. SUMMERFIELD asked MR. GRONAUER to submit a revised landscaping plan prior to the City Council meeting. With regard to the anti-graffiti paint, MR. SUMMERFIELD stated that the standard requirement is a decorative block wall; therefore, the anti-graffiti substance is not something staff would condition. MR. GRONAUER was agreeable to submitting a revised landscaping plan prior to City Council.

See Items 6 and 10 for related discussion and Items 8 and 9 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 7-9.

Motion made by Jeff Rogan to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

8. ZON-77258 - REZONING RELATED TO GPA-77257 - PUBLIC HEARING - APPLICANT: INTERNATIONAL ASSET MANAGERS, INC. - OWNER: CORY, LLC - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.00 acres at the southwest corner of Upland Boulevard and Cory Place (APNs 138-36-406-002 and 003), Ward 1 (Knudsen) [PRJ-77098]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 7-9 for related backup.

Motion made by Jeff Rogan to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

9. SDR-77259 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-77257 AND ZON-77258 - PUBLIC HEARING - APPLICANT: INTERNATIONAL ASSET MANAGERS, INC. - OWNER: CORY, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 34-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.00 acres at the southwest corner of Upland Boulevard and Cory Place (APNs 138-36-406-002 and 003), R-1 (Single Family Residential) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 1 (Knudsen) [PRJ-77098]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 7-9 for related backup.

Motion made by Jeff Rogan to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

10. SUP-77216 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: JEFFERY EISENMANN - For possible action on a request for a Special Use Permit FOR A PROPOSED ACCESSORY STRUCTURE (CLASS I) [CASITA] USE at 3733 Bradley Road (APN 138-12-610-004), R-E (Residence Estates) Zone, Ward 5 (Cear) [PRJ-76929]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 10-13.

EVA PALMER stated that she was opposed to Item 7; however, VICE CHAIR DE SALVIO informed MS. PALMER that, although he had read the item into the record, it would be pulled from the One Motion One Vote agenda to be heard.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 10-13.

NOTE: COMMISSIONER SCHLOTTMAN abstained from voting on Item 12 as he had a few conversations with the applicant regarding pre-construction budgets. He also abstained from voting on Item 13 as he owns an Urban Lounge within the notification area.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7, 8, 9, 14

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

11. SUP-77277 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAMON GUERRERO - OWNER: NFC, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 7,331 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE at 2400 West Sahara Avenue (APN 162-05-802-010), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-77250]. Staff recommends APPROVAL.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7, 8, 9, 14

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

12. SUP-77281 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHINGLISH RESTAURANT - OWNER: BOCA PARK MARKET PLACE SYNDICATIONS GROUP, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,027 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE WITH 1,500 SQUARE FEET OF OUTDOOR SEATING at 8704 West Charleston Boulevard, Suite #103 (APN 138-32-818-010), C-1 (Limited Commercial) Zone, Ward 2 (Seaman) [PRJ-77253]. Staff recommends APPROVAL.

NOTE: The video does not reflect the vote accurately, in that COMMISSIONER SCHLOTTMAN abstained from voting on this item as he had a few conversations with the applicant regarding pre-construction budgets.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7, 8, 9, 14

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Louis De Salvio, Anthony Williams; Abstain-Trinity Haven Schlottman; Excused-Sam Cherry, Sigal Chattah;

13. SUP-77288 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JENNIFER METZGER - OWNER: TOM J NEWTON, JR - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,540 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 3,192 SQUARE-FOOT OUTDOOR SEATING AREA at 1201 South Casino Center Boulevard (APN 162-03-110-046), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77182]. Staff recommends APPROVAL.

NOTE: The video does not reflect the vote accurately, in that Commissioner Schlottman abstained from voting on this item as he owns an Urban Lounge within the notification area.

Motion made by Trinity Haven Schlottman to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) 7, 8, 9, 14

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Louis De Salvio, Anthony Williams; Abstain-Trinity Haven Schlottman; Excused-Sam Cherry, Sigal Chattah;

14. TMP-77328 - TENTATIVE MAP - SKYE CANYON PHASE 4 - APPLICANT/OWNER: SECTION 12, LLC - For possible action on a request for a Parent Tentative Map FOR A 17-LOT MASTER PLANNED SUBDIVISION on 275.26 acres at the northwest corner of W Skye Canyon Park Drive and Skye Village Road (APN 126-12-501-004), T-D (Traditional Development) Zone, Ward 6 (Fiore) [PRJ-77323]. Staff recommends APPROVAL.

Motion made by Louis De Salvio to Approve subject to condition(s) and amending the following conditions as read for the record:

6. Conceptual landscape plans for the perimeters of Developer Parcels contained within the boundaries of this tentative map shall be submitted concurrently with submittal of future child tentative maps for Developer Parcels.

12. Per Section 3.07(c)(ii) of the Development Agreement, no improvements are required prior to the recordation of the Final Map for this site; however, where such is not already bonded, additional bonding to secure the placement of survey monuments is required prior to the recordation of a Final Map for this site.

16. Prior to the recordation of a child Final Map for this site, an update to the approved Master Traffic Impact Analysis must be submitted and approved by the Department of Public Works. Southbound right turn lanes on Shaumber Road at school driveways and a bus turnout on the south leg of the Skye Canyon Park Drive/Shamber Road intersection are required, unless otherwise allowed in the approved Master Traffic Impact Analysis.

17. Prior to the recordation of a child Final Map for this site, an update to the previously approved Master Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage study update.

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Tentative Map conforms to the terms of the Sunstone Development Agreement, is in substantial conformance with the Sunstone Master Land Use Plan and has been approved by the Sunstone Design Review Committee. Staff recommended approval of the application. He noted the updated Staff Report in the Commissioners' Supplemental Information packet with amended Conditions of Approval which he read for the record.

PAUL KENNER appeared representing the applicant and concurred with staff's amended conditions.

See Item 6 for related discussion.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

PUBLIC HEARING ITEMS

15. ABEYANCE - SDR-76888 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SQUARE TRADES HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED EIGHT-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS TO THE DOWNTOWN LAS VEGAS APPENDIX F PARKING AND LANDSCAPING REQUIREMENTS on 0.16 acres at 638 North 9th Street (APN 139-26-410-012), R-3 (Medium Density Residential) Zone, Ward 3 (Diaz) [PRJ-76806]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that due to the proposed parking and landscape buffer Waivers, staff has found that the proposed development is not appropriate for the subject site as submitted; therefore, staff recommended denial. He noted the updated Staff Report in the Commissioners' Supplemental Information packet reflecting changes due to plan revisions provided by the applicant.

NATHAN TAYLOR appeared representing the applicant and acknowledged suggestions made by some of the Commissioners to reduce the size of the footprint which has been done. Each unit has been reduced by 500 square feet and the entire total of the footprint of the property has been reduced by 5,500 square-feet.

COMMISSIONER SCHLOTTMAN remembered this item and had many thoughts about it. The elevation has been revised and the area is traditionally void of anything, and he thought the landscaping will be an enhancement.

VICE CHAIR DE SALVIO appreciated the applicant working with the neighbors. He declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

16. GPA-77243 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: SHETLAND LAND, LLC - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) TO: DR (DESERT RURAL DENSITY RESIDENTIAL) on 0.97 acres at 850 and 860 Shetland Road (APN 139-32-801-010), Ward 1 (Knudsen) [PRJ-76737]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 16-19.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed General Plan Amendment and Rezoning will match adjacent properties to the north of the subject site. Staff has also determined the proposed development is compatible with surrounding development in the area and that the requested landscaping exception of planting materials will not have a negative impact to the existing single-family residential dwellings and commercial developments surrounding the site; therefore, staff recommended approval of all applications. He noted additional letters of protest and support were received since publication.

A.J. PLANK appeared representing the applicant and said the project is for a 65-bed assisted living facility with a focus on memory care and Alzheimer's Dementia. The applicant felt the subject location was an appropriate spot as it is near the Medical District and is an underserved use within the Las Vegas valley. The applicant proposed to change the Rezoning and General Plan Amendment on the front parcel along Charleston Boulevard to match the rear parcel. Additionally, the applicant has designed the site to be compatible as much as possible for the adjacent residents by focusing on access from Charleston Boulevard and limiting access on Shetland Road as much as possible with respect to firetruck access requirements. MR. PLANK believed the use to be complimentary by following zoning requirements and being single-story, 20-feet maximum.

ALICE HARTLING, CHRIS ANDRASZAY, RANDY and TONI McDONALD, and FELIX ARELLANO, all nearby residents, spoke in opposition as they wished to see a more rural use on the site.

MR. PLANK responded by showing a rendering of the proposed facility which has been designed with a residential character and is unobtrusive to the neighborhood. He explained there is a 35-foot buffer along the northern property line. Overall, the applicant felt this was a low-intensity use for the site, and MR. PLANK pointed out on the site plan how the facility has been oriented to mitigate traffic concerns. He introduced JERRY TAYLOR who represents the operator and who could provide more information.

VICE CHAIR DE SALVIO asked about delivery hours. MR. TAYLOR said there are two large deliveries a week and would come off of Charleston Boulevard. There is 24-hour care but only 25 employees maximum with three shift changes.

MR. TAYLOR informed COMMISSIONER ROGAN that his company operates four of these types of facilities with five other facilities in development. Nearly all of the other facilities operate identical to what has been presented. The Commissioner acknowledged some of the concerns from the neighbors regarding traffic and noise. MR. TAYLOR agreed there will be an impact from ambulances and 9-1-1 calls based upon the population that is being served but he could not offer specifics.

COMMISSIONER ROGAN acknowledged the residents who spoke and thanked them for speaking. He has had time to consider this project and the concerns raised by the nearby residents. He could not say that this project would be too intense, noting the use is allowed in residential neighborhoods. He had concerns about

noise but Charleston Boulevard does have a lot of noise, as well. He thought this project was appropriate given the neighboring properties.

See Items 17-19 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 16-19.

Motion made by Jeff Rogan to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

17. ZON-77244 - REZONING RELATED TO GPA-77243 - PUBLIC HEARING - APPLICANT/OWNER: SHETLAND LAND, LLC - For possible action on a request for a Rezoning FROM: C-D (DESIGNED COMMERCIAL) TO: R-E (RESIDENCE ESTATES) on 0.97 acres at 850 and 860 Shetland Road (APN 139-32-801-010), Ward 1 (Knudsen) [PRJ-76737]. Staff recommends APPROVAL.

Minutes:

See Item 16 for related discussion and Items 16-19 for related backup.

Motion made by Jeff Rogan to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

18. SUP-77245 - SPECIAL USE PERMIT RELATED TO GPA-77243 AND ZON-77244 - PUBLIC HEARING - APPLICANT/OWNER: SHETLAND LAND, LLC - For possible action on a request for a Special Use Permit FOR A 65-BED CONVALESCENT CARE FACILITY/NURSING HOME USE at the northwest corner of Charleston Boulevard and Shetland Road (APNs 139-32-801-008, 009 and 010), C-D (Designed Commercial) and R-E (Residence Estates) Zones [PROPOSED: R-E (Residence Estates)], Ward 1 (Knudsen) [PRJ-76737]. Staff recommends APPROVAL.

Minutes:

See Item 16 for related discussion and Items 16-19 for related backup.

Motion made by Jeff Rogan to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

19. SDR-77246 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-77243, ZON-77244 AND SUP-77245 - PUBLIC HEARING - APPLICANT/OWNER: SHETLAND LAND, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 37,000 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME on 2.62 acres located on the northwest corner of Charleston Boulevard and Shetland Road (APNs 139-32-801-008, 009 and 010), C-D (Designed Commercial) and R-E (Residence Estates) Zones [PROPOSED: R-E (Residence Estates)], Ward 1 (Knudsen) [PRJ-76737]. Staff recommends APPROVAL.

Minutes:

See Item 16 for related discussion and Items 16-19 for related backup.

Motion made by Jeff Rogan to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

20. GPA-77278 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CHARLIE CONCOBY - OWNER: SQUARE TRADES HOLDINGS, LLC - For possible action on a request for a General Plan Amendment FROM: ML (MEDIUM LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 1.20 acres at the southeast corner of Sandhill Road and Spino Avenue (APN 140-30-505-001), Ward 3 (Diaz) [PRJ-76800]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 20-23.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed General Plan Amendment and Rezoning would allow residential densities comparable to other multi-family residential developments surrounding the subject site; therefore, staff recommended approval of the General Plan Amendment and Rezoning applications. However, staff has found no evidence of a unique or extraordinary circumstance to support the applicant's parking Variance request and recommended denial of the remaining applications. He noted additional letters of protest and support were received since publication.

NATHAN TAYLOR appeared representing the applicant and said a neighborhood meeting was held on September 18, 2019 and only one resident attended. It was requested that a sign be placed on the property of how to get in touch with the property manager. In reference to the Variance, MR. TAYLOR noted the applicant was only two parking spaces short and pointed out on a site map the deficiencies with landscaping.

COMMISSIONER SCHLOTTMAN believed this to be a good community and would bring more housing to the eastside of the valley. He acknowledged COUNCILWOMAN DIAZ'S desire to see more two-bedroom units in the future.

See Items 21-23 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 20-23.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

21. ZON-77279 - REZONING RELATED TO GPA-77278 - PUBLIC HEARING - APPLICANT: CHARLIE CONCOBY - OWNER: SQUARE TRADES HOLDINGS, LLC - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 1.20 acres at the southeast corner of Sandhill Road and Spino Avenue (APN 140-30-505-001), Ward 3 (Diaz) [PRJ-76800]. Staff recommends APPROVAL.

Minutes:

See Item 20 for related discussion and Items 20-23 for related backup.

Motion made by Trinity Haven Schlottman to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

22. VAR-77424 - VARIANCE RELATED TO GPA-77278 AND ZON-77279 - PUBLIC HEARING - APPLICANT: CHARLIE CONCOBY - OWNER: SQUARE TRADES HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW 38 PARKING SPACES WHERE 40 ARE REQUIRED FOR A PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 1.20 acres at the southeast corner of Sandhill Road and Spino Avenue (APN 140-30-505-001), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Diaz) [PRJ-76800]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-23 for related backup.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

23. SDR-77280 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-77278, ZON-77279 AND VAR-77424 - PUBLIC HEARING - APPLICANT: CHARLIE CONCOBY - OWNER: SQUARE TRADES HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 28-UNIT MULTI-FAMILY DEVELOPMENT WITH A WAIVER OF LANDSCAPE BUFFER REQUIREMENTS on 1.20 acres at the southeast corner of Sandhill Road and Spino Avenue (APN 140-30-505-001), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Diaz) [PRJ-76800]. Staff recommends DENIAL.

Minutes:

See Item 20 for related discussion and Items 20-23 for related backup.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

24. VAR-77275 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a Variance TO ALLOW 38 PARKING SPACES WHERE 62 SPACES ARE REQUIRED on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-77034]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 24 and 25.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed development fails to comply with the minimum parking and landscape buffer standards. As such, the required Variance and Waivers reinforce the unsuitability of this site for the proposed use; therefore, staff recommended denial of the project and all associated applications. He noted that additional letters of protest and support were received since publication.

ZION LOVINGIER, owner of the property, spoke briefly of the history of the subject property. Regarding the parking spaces, he stated that the subject property is a space that will cater to smaller events. If there is a larger event, a shuttle could be utilized from the nearby public Park and Ride site. In terms of landscaping, he shared several images of the property to illustrate the current landscaping buffers stating that the property was once a residential use that has been converted into a commercial use.

NATHAN TAYLOR, nearby resident, spoke in support of the application.

VICE CHAIR DE SALVIO made mention of a meeting held with MR. LOVINGIER during which parking was discussed. MR. LOVINGIER stated that there was a revised plan to address some of the parking issues;

however, there was not enough time to submit it to the Planning Department. VICE CHAIR DE SALVIO wished to make the Commissioners aware of the efforts made to address parking and landscaping buffer issues. He commented that one of the residents previously in opposition has given his support. MR. LOVINGIER was not aware of any resident who was in opposition.

VICE CHAIR DE SALVIO wondered what the next course of action would be after the vote. ROBERT SUMMERFIELD, Planning Director, informed him that the vote for this item would be Final Action and in the absence of a revised plan, he was hesitant to try to do a revision without any plan to put on the record. He suggested abeyance to give the applicant time to submit the revised plan.

COMMISSIONER SCHLOTTMAN encouraged MR. LOVINGIER to submit his revised plans to the Planning Department as soon as possible so that it is made available to the Commissioners.

See Item 25 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 24 and 25.

Motion made by Louis De Salvio to Hold in Abeyance Items 24 and 25 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

25. SDR-77276 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-77275 - PUBLIC HEARING - APPLICANT/OWNER: ZION LOVINGIER - For possible action on a request for a Site Development Plan Review FOR A PROPOSED CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 6,179 SQUARE FOOT BANQUET FACILITY WITH A WAIVER OF LANDSCAPE BUFFER DEVELOPMENT STANDARDS on 1.50 acres at 8311 Farm Road (APN 125-16-301-003), C-1 (Limited Commercial) Zone, Ward 6 (Fiore) [PRJ-77034]. Staff recommends DENIAL.

Minutes:

See Item 24 for related discussion and Items 24 and 25 for related backup.

Motion made by Louis De Salvio to Hold in Abeyance Items 24 and 25 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

26. VAR-77282 - VARIANCE - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: BUS YARD PROPERTIES, LLC AND VENTO BUS YARD, LLC - For possible action on a request for a Variance TO ALLOW TERMINATION OF A PRIVATE STREET IN A DEAD END STUB WHERE A CUL-DE-SAC IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED ON 43-FOOT WIDE INTERNAL PRIVATE STREETS, TO ALLOW NO AMENITY ZONE ON THE EXTERIOR STREET AND TO ALLOW A CONNECTIVITY RATIO OF 1.15 WHERE 1.30 IS REQUIRED on 15.00 acres on the south side of the Ann Road alignment, approximately 60 feet west of Shaumber Road (APNs 126-36-101-006, 007, and 027), R-CL (Single Family Compact-Lot) Zone, Ward 6 (Fiore) [PRJ-77218]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 27-29 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 26-29 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

27. VAR-77283 - VARIANCE RELATED TO VAR-77282 - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: BUS YARD PROPERTIES, LLC AND VENTO BUS YARD, LLC - For possible action on a request for a Variance TO ALLOW A 14-FOOT TALL OVERALL PERIMETER WALL HEIGHT WHERE 12 FEET IS THE MAXIMUM ALLOWED, TO ALLOW EIGHT-FOOT TALL RETAINING WALLS WHERE SIX FEET IS THE MAXIMUM ALLOWED AND TO ALLOW EIGHT-FOOT TALL SECONDARY WALLS WHERE FOUR-FOOT IS THE MAXIMUM ALLOWED on 15.00 acres on the south side of the Ann Road alignment, approximately 60 feet west of Shaumber Road (APNs 126-36-101-006, 007, and 027), R-CL (Single Family Compact-Lot) Zone, Ward 6 (Fiore) [PRJ-77218]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 26-29 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 26-29 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

28. VAC-77284 - VACATION RELATED TO VAR-77282 AND VAR-77283 - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: BUS YARD PROPERTIES, LLC AND VENTO BUS YARD, LLC - For possible action on a request for a Petition to Vacate a U.S. Government Patent Easement located on the south side of the Ann Road alignment, approximately 60 feet west of Shaumber Road (APNs 126-36-101-006, 007, and 027), Ward 6 (Fiore) [PRJ-77218]. Staff recommends APPROVAL.

Minutes:

See Item 6 for related discussion and Items 26-29 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 26-29 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

29. TMP-77285 - TENTATIVE MAP RELATED TO VAR-77282, VAR-77283 AND VAC-77284 - ANN 215 - PUBLIC HEARING - APPLICANT: KB HOMES - OWNER: BUS YARD PROPERTIES, LLC AND VENTO BUS YARD, LLC - For possible action on a request for a Tentative Map FOR A 113-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 15.00 acres on the south side of the Ann Road alignment, approximately 60 feet west of Shaumber Road (APNs 126-36-101-006, 007, and 027), R-CL (Single Family Compact-Lot) Zone, Ward 6 (Fiore) [PRJ-77218]. Staff recommends DENIAL.

Minutes:

See Item 6 for related discussion and Items 26-29 for related backup.

Motion made by Trinity Haven Schlottman to Hold in Abeyance Items 26-29 to 11/12/2019

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

30. VAR-77419 - VARIANCE - PUBLIC HEARING - APPLICANT: MIKE GANTI - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Variance TO ALLOW TERMINATION OF A PUBLIC ALLEYWAY IN A

DEAD END STUB WHERE A CUL-DE-SAC IS REQUIRED on a portion of a 20-foot wide public right-of-way (alleyway) segment bound by Fremont Street, Carson Avenue, 13th Street and 14th Street, Ward 3 (Diaz) [PRJ-76792]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open for Items 30 and 31.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed Vacation would create a public right-of-way terminus with no cul-de-sac or other alternative access from the alley. Staff has found no unique hardship to support the Variance request and recommended denial of both applications. He noted that additional letters of protest and support were received since publication.

SARA AH GANTI, wife of MIKE GANTI, who is the applicant, said she and her husband have been part of the downtown area since 1995 and operated an assisted living facility on 14th Street and Fremont Street. In 1995 and 1996, the Gantis requested for part of the alleyway to be vacated. She thought they had requested vacation of the entire alleyway but realized this was not the case. MS. GANTI explained the intent of the request noting there has been nothing but a series of break-ins, traffic issues, and crime since two block walls were removed from within the alleyway. She asserted that many of the business owners within the area were in support of the request.

COMMISSIONER SCHLOTTMAN asked ROGER BAILEY, Sr. Engineering Associate, if the turnaround would be about 45 feet to which MR. BAILEY replied yes. The Commissioner pointed out that if the request is approved, vehicles would have to back out of the alleyway instead of driving straight through. He wondered the opinion of the Fire Department on such a matter. BRIAN HALVORSON, Assistant Fire Protection Engineer, stated that the Fire Department does not use alleyways as access points.

COMMISSIONER SCHLOTTMAN was aware of and spoke of his involvement in the area. He believed the request would take a portion of the alleyway and block it off. This can present a problem if someone were to drive down a dead-end alleyway, they must back out of it. If all of the neighboring business owners wanted to come together to block off the entire alleyway from Carson Avenue, he would be more open to the request. MS. GANTI believed all of the neighboring business owners had agreed to do this but thought it would not be approved thus the reason the request was stopped at her property.

COMMISSIONER ROGAN said he also used to live in the area and would spend time sweeping the sidewalk. He realized there is a problem with homelessness but did not believe this request to be the answer. He supported COMMISSIONER SCHLOTTMAN'S opinion and encouraged MS. GANTI to reach out to her Councilwoman to discuss solutions that do not involve a public safety issue.

MS. GANTI said the suggestion of a breakaway fence had been given once before, and she believed they have gone above and beyond to address matters on this piece of property. She identified her property for COMMISSIONER SCHLOTTMAN.

COMMISSIONER SCHLOTTMAN supported MS. GANTI'S work within the area. He believed there were many people present who have an interest in the neighborhood. He could not support the request but was open to the adjacent neighbors developing a solution.

It was verified the item would move forward to City Council and COMMISSIONER SCHLOTTMAN encouraged MS. GANTI to speak with the adjacent neighbors and COUNCILWOMAN DIAZ who could provide some guidance.

See Item 31 for related backup.

VICE CHAIR DE SALVIO declared the Public Hearing closed for Items 30 and 31.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

31. VAC-77293 - VACATION RELATED TO VAR-77419 - PUBLIC HEARING - APPLICANT: MIKE GANTI - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Petition to Vacate a portion of a 20-foot wide public right-of-way (alleyway) segment bound by Fremont Street, Carson Avenue, 13th Street and 14th Street, Ward 3 (Diaz) [PRJ-76792]. Staff recommends DENIAL.

Minutes:

See Item 30 for related discussion and Items 30 and 31 for related backup.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

32. VAR-77136 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JUAN MANUEL FLORES - For possible action on a request for a Variance TO ALLOW TWO EXISTING ACCESSORY STRUCTURES (CLASS II) [SHADE STRUCTURES] WITH A ZERO-FOOT SEPARATION FROM THE PRINCIPAL DWELLING, A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED AND TO ALLOW THE ACCESSORY STRUCTURE TO EXCEED THE HEIGHT OF THE PRINCIPAL DWELLING UNIT WHERE SUCH IS NOT ALLOWED at 4605 Lilliput Lane (APN 162-07-212-007), R-1 (Single Family Residential) Zone, Ward 1 (Knudsen) [PRJ-77067]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that this Variance request is the result of a Code Enforcement case that was processed on June 11, 2019, for two existing non-compliant shade structures located on the subject site. No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by building un-permitted structures in locations that are noncompliant with Title 19.06 development standards. Therefore, staff recommended denial of the applicant's request for a Variance. He noted that additional letters of protest and support were received since publication.

JUAN MANUEL FLORES stated that he purchased the property in 1995 and several changes have been made to it in order to conserve water. For this reason, most of the landscaping has been removed, except for a small garden. He submitted letters of support from his neighbors noting he has held three neighborhood meetings where he provided an explanation of the project. In the meetings, all of the neighbors expressed their support. MR. FLORES expressed his willingness to follow any suggested recommendations.

ROLANDO LARRAZ lives in the neighborhood and spoke in opposition to the project stating that his brother wished to build a structure in the back of his property but it was denied by the Planning Commission. He believed the structure built on MR. FLORES' property looked more like an apartment.

ROBERT LaFRIEDA, a nearby resident, spoke in support of the project and thought the structures were aesthetically pleasing.

MR. FLORES acknowledged MR. LARRAZ'S comment stating that the structure he referred to is a storage unit with a glass door and a glass window. He confirmed for COMMISSIONER ROGAN that he has lived at the property since April of 1997 but relocated to Las Vegas in 1995.

COMMISSIONER ROGAN was concerned MR. FLORES has a problem with following rules as there have been many Code Enforcement violations. MR. FLORES apologized for his ignorance. The Commissioner asked MR. FLORES if he had any images of the rear of his property. MR. FLORES shared an image of the front structure on his property and stated that the rear structure looks similar.

COMMISSIONER ROGAN appreciated the appearance of the structures; however, he did not believe in MR. FLORES' comment in regards to conserving water. He asserted that the rear structure does not conform to the rules and although the neighbor across the street was in support of the structure, the neighbor behind the property does not.

Subsequent to the vote, ASSISTANT CITY ATTORNEY BRYAN SCOTT asked for a time frame in which the structures should be removed. COMMISSIONER ROGAN recommended 30 days; however, ROBERT SUMMERFIELD, Planning Director, advised that when there is more than one structure to remove, 60 days is typically given to clear the site of all illegal structures.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Jeff Rogan to Deny and allowing 60 days to remove the structures

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

33. VAR-77247 - VARIANCE - PUBLIC HEARING - APPLICANT: FRANK PERONE - OWNER: KELLY D MCCARTNEY-PERONE - For possible action on a request for a Variance TO ALLOW A PROPOSED ACCESSORY STRUCTURE (CLASS II) [GARAGE] WITH A 12-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED on 0.28 acres at 5012 Maverick Street (APN 125-35-714-015), R-D (Single Family Residential-Restricted) Zone, Ward 4 (Anthony) [PRJ-77213]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that according to the submitted justification letter, the applicant is unable to move the structure and comply with the required 15-foot corner side yard setback because of existing pool facilities at the rear of the site. No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by placing pool facilities in the rear of the property. Earlier coordination between pool facilities and the proper placement of the proposed accessory garage would have allowed conformance to the Title 19 requirements; therefore, staff recommended denial of the applicant's request for a Variance. He noted that additional letters of protest were received since publication.

FRANK and KELLY PERONE introduced themselves. MR. PERONE demonstrated on a rendering of the subject site the need for the Variance pointing out how the wall of his property on Lamadre Street sits at an angle. He has received over 45 signatures from nearby neighbors who were in support. He further explained that the structure will be single-story and will match the color of the house.

COMMISSIONER TOUSSAINT said she visited the area and commented that structures bigger than the one requested have been approved. She thought it would be aesthetically pleasing.

VICE CHAIR DE SALVIO wished to know the City's stance on the entryway and wondered how the structure would be accessed legally. ROGER BAILEY, Sr. Engineering Associate, explained that the Blue Book Standard Drawings, as called by staff, prohibit driveways within six feet of the curb return, so the applicants would have to access the structure through the existing driveway to the south.

VICE CHAIR DE SALVIO asked if MR. and MRS. PERONE understood that they could not have a straight shot coming out of the RV (recreational vehicle) area and would have to turn in front of the single car garage. MR. PERONE understood

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

34. VAR-77267 - VARIANCE - PUBLIC HEARING - APPLICANT: CHARLIE CONCOBY - OWNER: SQUARE TRADE HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL VINYL FENCE IN THE FRONT YARD AREA WHERE A MAXIMUM OF FIVE FEET WITH A TWO-FOOT SOLID BASE IS ALLOWED on 0.22 acres at 858 West Lake Mead Boulevard (APN 139-21-612-072), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-77141]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that according to the submitted justification letter, the additional fence height has been requested to provide screening from the bus shelter and people waiting for the bus congregating on the sidewalk in front of the home. During a routine site inspection, staff noted that the fence is currently constructed; however, no building permit has been issued for the structure.

Staff has determined that the location of the bus shelter structure in front of the home was an existing site condition that the applicant was aware of at issuance of building permits for the single-family dwelling on the subject site. Furthermore, staff noted there are no physical constraints associated with the subject site; therefore, staff recommended denial of the requested Variance. He noted that additional letters of protest and support were received since publication.

NATHAN TAYLOR appeared representing the applicant and said the applicant was not aware that a permit was needed for the fence because when staff came out during the process, there was no mention of the fence. He explained that the fence is six-feet high because of the height of the RTC (Regional Transportation Commission of Southern Nevada) bus stop and noted that there is a chain-link fence on the outside of the applicant's fence that is owned and maintained by the RTC. MR. TAYLOR shared an image of the interior of the fence.

COMMISSIONER WILLIAMS was okay with the fence being six-feet high but had a challenge with not having a building permit. He recommended approval under the condition of obtaining all necessary building permits within 60 days. MR. TAYLOR was agreeable to this.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Anthony Williams to Approve subject to condition(s) and adding the following condition as read for the record:

A. All necessary building permits shall be requested within 60 days of Final Action. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

35. SUP-77269 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RED EARTH, LLC - OWNER: GDC REALTY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 17,000 SQUARE-FOOT MARIJUANA CULTIVATION FACILITY USE at 2310 Western Avenue (APN 162-04-404-002), M (Industrial) Zone, Ward 3 (Diaz) [PRJ-77181]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the City Council approved Special Use Permit (SUP-71542) on October 10, 2017, to allow a 17,000 square-foot Marijuana Cultivation Facility use at 2310 Western Avenue. The Special Use Permit is no longer valid due to the failure of meeting conditioned Business Licensing requirements. The applicant is now requesting a new Special Use Permit consisting of the same Marijuana Cultivation Facility use as previously approved.

The subject site complies with all minimum distance requirements as set forth by Title 19.12; therefore, the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses and future land uses as projected by the General Plan. As such, staff recommended approval of the proposed use with standard conditions. He noted that additional letters of protest were received since publication.

RAMSE DADIS appeared on behalf of the applicant and thanked the Commissioners and Planning Director stating that staff was of great help to the applicant.

COMMISSIONER SCHLOTTMAN supported the location.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: COMMISSIONER SCHLOTTMAN disclosed that he has built many cannabis facilities in the past but this would not affect him any greater or lesser than anyone else. He also stated that one of his project managers worked with RAMSE DADIS as a consultant on a project built years ago; however, there were never any contractual ties. ASSISTANT CITY ATTORNEY BRYAN SCOTT confirmed the Commissioner could vote on this item.

Motion made by Trinity Haven Schlottman to Approve subject to condition(s)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

36. SUP-77273 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GREENMART OF NEVADA NLV, LLC - OWNER: CHARLEY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 6,260 SQUARE-FOOT MARIJUANA DISPENSARY USE at 200 East Charleston Boulevard (APN 162-03-110-040), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-77175]. Staff recommends APPROVAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the subject site is zoned C-2 (General Commercial) and subject to Title 19 development standards. The applicant proposes to operate within an existing 6,260 square-foot commercial building. No new structural development is proposed.

There is no confirmed protected land uses located within the required distance separation area. As such, staff recommended approval of the proposed use with standard conditions. He noted that additional letters of support and protest were received since publication.

SCOTT RUTLEDGE, Argentum Partners, appeared representing GreenMart of Nevada NLV, LLC., and appreciated staff's recommendation and looked forward to being good neighbors to the Arts District.

VICE CHAIR DE SALVIO inquired about parking. MR. RUTLEDGE stated that because of the overlay that the subject property is in, there are 17 parking spaces plus one handicap space. He believed there was an additional 30 parking spaces on Casino Center Boulevard.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: COMMISSIONER SCHLOTTMAN abstained from voting on this item as he has an investment in three different places within the notification area.

COMMISSIONER TOUSSAINT disclosed that she knew MR. RUTLEDGE from serving on the Nevada Conservation League for six years as her Executive Director; however, this would not affect how she would vote.

Motion made by Donna Toussaint to Approve subject to condition(s)

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Louis De Salvio, Anthony Williams; Abstain-Trinity Haven Schlottman; Excused-Sam Cherry, Sigal Chattah;

37. SDR-77286 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: BEL INVEST GROUP - OWNER: CORNERSTONE COMPANY - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 34-STORY MIXED USE DEVELOPMENT CONSISTING OF 29,974 SQUARE FEET OF COMMERCIAL/OFFICE SPACE AND 513 MULTI-FAMILY RESIDENTIAL UNITS WITH WAIVERS OF DOWNTOWN LAS VEGAS OVERLAY ARCHITECTURAL STANDARDS on 0.46 acres at 1211 South 3rd Street (APN 162-03-110-011), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77241]. Staff recommends DENIAL.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the subject site is zoned C-1 (Limited Commercial) and is subject to Title 19 development standards. The site is also located within Area 1 (18b Las Vegas Arts District) of Appendix F of the Interim Downtown Las Vegas Master Plan Area. The building will consist of 513 studio apartments, 3,940 square feet of dedicated retail space and 26,034 square feet of dedicated office space. In addition, the building will feature 10 stories of garage parking and rooftop amenities.

He continued that while the 2045 Downtown Las Vegas Master Plan and the 18b Las Vegas Arts District does encourage projects such as a mixed-use development for the subject site, the project as proposed is overbuilt. This is evidenced by the significant deficiency in proposed parking. There are no alternative off-site parking options within the immediate vicinity of the subject site. Staff has not found this project to be harmonious or compatible with existing development in the area; therefore, staff recommended denial of the requested Site Development Plan Review. He noted that additional letters of protest were received since publication.

ATTORNEY TONY CELESTE appeared on behalf of the applicant and said the subject property is almost one-half of an acre located at the intersection of 3rd Street, 4th Street, and Colorado Avenue. He restated that the property is zoned C-1 and is located within the Arts District. The C-1 zoning allows for a variety of uses including mixed-use development which was being proposed, and the Arts District does not have the parking standards or height standards associated with the surrounding area. With respect to the height, MR. CELESTE stated that the Arts District is between the downtown core and the Stratosphere and is one of the last portions of the area where development can occur. He believed this area was ready for high-density development.

He referred to a site plan stating that a drive-through aisle, to be accessed through 3rd Street, was being proposed as well as garage parking, retail and commercial space, and 513 units. MR. CELESTE indicated the Staff Report was reviewed and the applicant saw some of the wisdom provided with respect to parking in particular. Revised plans were submitted, which he reviewed, stating that a few of the levels of the building have been eliminated as well as some of units reducing the number from 513 units to 433 units. This has dramatically reduced parking requirements, increasing the provided parking ratio from 51 percent to 62 percent. He understood the revised plans were something recently submitted, and he would continue to work with Planning staff on the submitted revisions prior to the City Council meeting. MR. CELESTE asked for

direction from the Planning Commission to ensure the revisions are more in line with what the Commissioners see as opposed to what has been submitted.

COMMISSIONER SCHLOTTMAN said he had the chance to speak to MR. CELESTE and ATTORNEY JENNIFER LAZOVICH about this project. He noted other projects had been approved for this location in the past, so the area works; however, he expressed concerns about parking. In speaking with other developers, he was aware that other similar properties were parked at 1:1 for every unit and felt that the subject project needed to be massaged further to consider additional, adjacent parking sites. He also encouraged the consideration of a different project mix.

MR. CELESTE agreed with the Commissioner's concerns regarding parking. He reiterated the decrease in the number of units and believed the project was moving in the right direction. He confirmed the site had been previously approved for mixed-use. He noted his client is developing internationally and has developed this concept in various other places.

COMMISSIONER ROGAN echoed some of COMMISSIONER SCHLOTTMAN'S comments; however, he was not as concerned about the parking. He believed there would be more of these types of developments and more public transportation options, and he expressed concerns about having an overabundance of parking in the future.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

Motion made by Trinity Haven Schlottman to Deny

Passed For: 4; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Anthony Williams; Against-Louis De Salvio; Excused-Sam Cherry, Sigal Chattah;

DIRECTOR'S BUSINESS:

38. TXT-77428 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend LVMC Title 19.12 related to the Marijuana Dispensary use, and to provide for other related matters. Staff has NO RECOMMENDATION.

Minutes:

VICE CHAIR DE SALVIO declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, reported that the proposed amendment would add a 1,500-foot distance separation between a Marijuana Dispensary Use and a Non-Restricted Gaming Establishment to align with recent changes passed by the Nevada State Legislature. It would also add a 1,000-foot distance separation between any two Marijuana Dispensary uses regardless of the jurisdiction in which the Marijuana Dispensaries are located. Finally, it would require that a survey, signed and sealed by a surveyor that is registered in the State of Nevada, be submitted as part of the application for a Special Use Permit. Staff had no recommendation on the proposed amendment.

COMMISSIONER SCHLOTTMAN believed the proposed amendment would align City ordinances with state law and did not have any issue with the distance separation between two dispensaries which he believed would help to prevent over-saturation in particular areas.

VICE CHAIR DE SALVIO expressed his support of the proposed amendment but wished to see the distance separation requirements measure from door to door instead of from property line to property line. ROBERT SUMMERFIELD, Planning Director, said the City Council has requested some research on this matter, and he would present information regarding distance separation requirements, in addition to other options, if they choose to change these requirements.

COMMISSIONER ROGAN thought this was a good policy and wished for the City Council to consider the distance separation requirements to include the other types of marijuana uses in addition to dispensaries in

order to avoid over saturation. COMMISSIONER SCHLOTTMAN understood the Commissioner's point but spoke of the discreteness of many of the facilities as they are not open to the public.

VICE CHAIR DE SALVIO declared the Public Hearing closed.

NOTE: COMMISSIONER SCHLOTTMAN disclosed that he has built many marijuana facilities; however, the proposed amendment would not affect him any greater or lesser than anyone else.

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

For-Jeff Rogan, Donna Toussaint, Trinity Haven Schlottman, Louis De Salvio, Anthony Williams; Excused-Sam Cherry, Sigal Chattah;

Citizens Participation:

39. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Planning Commission. No subject may be acted upon by the Planning Commission unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

The meeting was adjourned at 8:29 p.m.

Respectfully submitted:

Ashley Foster, Deputy City Clerk

Gabriela Portillo-Brenner, Deputy City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive